of quantities of fluidextract of ginger which was adulterated and misbranded. The shipments consisted of one lot in gallon cans and four lots in 2-ounce bottles. The cans and one of the bottled lots were labeled: "Fluid Extract of Ginger U. S. P. * * * Nomel Products Co., Inc., New York." The remaining three bottled lots were accompanied by labels bearing the same statements.

It was alleged in the information that the article was adulterated in that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in the pharmacopoeia official at the time of investigation, in that it was a mixture composed in part of material not derived from ginger and which contained an oil or oils not mentioned in the pharmacopoeia as constituents of fluidextract of ginger and the standard of strength, quality, and purity of the article was not declared on the container. Adulteration was alleged for the further reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, in that it was represented to be fluidextract of ginger which conformed to the standard laid down in the United States Pharmacopoeia, whereas it was not.

Misbranding was alleged for the reason that the statement, "Fluid Extract of Ginger, U. S. P.", borne on the labels attached to the cans and part of the bottles, and accompanying the remainder of the said bottles, was false and misleading in that the said statement represented that the article was fluidextract of ginger which conformed to the standard laid down in the United States Pharmacopoeia, whereas it was not. Misbranding was alleged for the further reason that the article was a mixture composed in part of material not derived from ginger and which contained an oil or oils not mentioned in the pharmacopoeia as constituents of fluidextract of ginger, prepared in imitation of fluidextract of ginger, U. S. P., and was offered for sale and sold under the name of another article, namely, fluidextract of ginger, U. S. P.

On July 16, 1934, the defendant entered a plea of guilty and the court imposed a fine of $25 on each of the 5 adulteration counts and suspended sentence on the 5 misbranding counts.

M. L. WILSON, *Acting Secretary of Agriculture.*

22653. Misbranding of Dr. Parker's Treatment for Indigestion and Constipation. U. S. v. 202 Boxes of Dr. Parker's Treatment for Indigestion and Constipation. Default decree of condemnation and destruction. (F. & D. no. 30814. Sample no. 42357–A.)

Examination of the drug product involved in this case showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On August 3, 1933, the United States attorney for the Southern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 202 boxes of Dr. Parker's Treatment for Indigestion and Constipation at Huntington, W. Va., alleging that the article had been shipped in interstate commerce, on or about June 5, 1931, by the Parker Medicine Co., from Cincinnati, Ohio, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of sodium bicarbonate (42 percent), starch, and ginger, flavored with peppermint oil; the pills, which were part of the treatment, contained extracts of plant drugs, including aloe and nux vomica.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding its curative and therapeutic effects, were false and fraudulent: (Tin container) "Treatment For Indigestion * * * It is prepared especially for persons suffering from indigestion and results of indigestion. This is the Doctor's favorite prescription after treating diseases of the stomach and bowels for thirty years, and comes the nearest to being a specific he has ever discovered. * * * When you have rheumatism the first thing to do is to get cured of indigestion. Indigestion causes more rheumatism than all other diseases combined. Indigestion causes more kidney trouble than anything else. Indigestion causes nervous prostration. Indigestion causes heart failure. Indigestion causes skin diseases. Indigestion causes constipation. Indigestion causes appendicitis. Indigestion causes impure blood. Our blood is made from what we eat and drink, and unless our food is made into healthy blood we may expect some form of disease as a result. * * * Treatment for Indigestion * * * Diagnose

Your Own Case. And see if you need a medicine that is prepared especially for indigestion. If none of the following symptoms are found in your case you have no such thing as indigestion and need none of this or any other medicine for indigestion. All persons suffering from stomach or intestinal indigestion, or both will have one or more of the following symptoms: Sour Stomach, Belching, Bloating, Pain in Stomach and Bowels, offensive breath, bad taste in mouth, coated tongue, headache, backache, nervousness, appetite poor though may be good at times, loss of ambition, constipation, occasionally bowels running off, cold hands and feet, feeble circulation and many other symptoms not mentioned. * * * In preparing a special treatment for indigestion our work would lack completeness should we fail to give the liver proper attention, as it performs a very important part in the process of indigestion, as all organs must work together. We therefore recommend our liver tablets as a part of the special treatment. * * * produce natural evacuation * * * conditions where there is an inactive condition of the liver. Every box of indigestion treatment contains one box of our liver tablets. * * * Liver Tablets"; (box label) "Liver Tablets * * * Liver Tablets * * * Prepared especially for the liver."

On June 13, 1934, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22654. Adulteration and misbranding of fluidextract of squill. U. S. v. 23 Bottles and 198 Bottles of Fluidextract Squill. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31173. Sample nos. 43042–A, 43043–A.)

This case involved shipments of fluidextract of squill, labeled "U. S. P.", which was below the pharmacopoeial standard. The label failed to declare the alcohol content.

On September 28, 1933, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 221 bottles of fluidextract of squill at Garfield, N. J., alleging that the article had been shipped in interstate commerce, in part on or about September 6, 1933, from Perryville, Md., and in part on or about September 9, 1933, from Chicago, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "1 Pint Fluidextract Squill (Fluidextractum Scillae) U. S. P. B. R. Elk & Company, Mfg. Chemists, Garfield, N. J."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia, and its own standard was not stated on the container.

Misbranding was alleged for the reason that the statement on the label, "Fluidextract Squill (Fluidextractum Scillae) U. S. P.", was false and misleading; and for the further reason that the package failed to bear a statement on the label of the quantity or proportion of alcohol contained in the article.

On August 10, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22655. Misbranding of Female Re-Lax Lozenges, and Steriltone. (U. S. v. (Dr.) H. Will Elders. Plea of guilty. Fine, $500. (F. & D. no. 31324. Sample nos. 29248–A, 35364–A.)

Examination of the drug products involved in this case showed that they contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labelings.

On or about July 25, 1934, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against (Dr.) H. Will Elders, St. Joseph, Mo., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about January 25, 1933, from the State of Missouri into the State of Indiana, of a quantity of Female Re-Lax Lozenges,